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June17, 2019

**VIA ELECTRONIC MAIL** 

Ms. Diane Salkie
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

Re: Monthly Progress Report No. 145 - May 2019

Lower Passaic River Study Area (LPRSA) Remedial Investigation/Feasibility Study

(RI/FS)

**CERCLA Docket No. 02-2007-2009** 

Dear Ms. Salkie:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement. The CPG has revised this Progress Report to address the Region's direction in its September 1, 2015 letter about Section (d).

# (a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

#### **Meetings/Conference Calls**

- On May 1, EPA Region 2 (Region 2), CPG, and New Jersey Department of Environmental Protection (NJDEP) held a teleconference to discuss the Upper 9-Mile Interim Remedy (IR) Completion.
- On May 9, Region 2, CPG, and NJDEP held a meeting to discuss the Upper 9-Mile Feasibility Study (FS) (Meeting #16).
- On May 13, Region 2, CPG, and NJDEP held a teleconference to discuss the status of the Bioaccumulation Model calibration.
- On May 14, Region 2, CPG, NJDEP and EPA Headquarters held a teleconference to discuss the Upper 9-Mile IR Completion.
- On May 22, Region 2, CPG, and NJDEP held a teleconference to discuss the Upper 9-Mile FS (Meeting #17).
- On May 28, Region 2, CPG, and NJDEP held a teleconference to discuss Current Conditions Sampling of Biota (Meeting #6).

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### Correspondence

- On May 1, CPG provided Region 2 the process flow chart for the Upper 9-Mile IR and Adaptive Management for discussion during the scheduled May 1 teleconference.
- On May 1, CPG provided a revised Technology Screening Table and a Response to Comments (RTCs) table for the Upper 9-Mile IR FS to Region 2.
- On May 2, CPG uploaded the revised Final 2011 Winter Spring Avian Community Survey Data Report for the LPRSA to EPA's SharePoint site.
- On May 6, Region 2 and CPG exchanged emails regarding the status of in-prep 17-Mile Remedial Investigation (RI) documents.
- On May 6, Region 2 provided comments on the Upper 9-Mile IR FS Applicable or Relevant and Appropriate Requirements (ARAR) table to CPG.
- On May 6, Region 2 provided minutes from the April 11, 17, and 18 Current Condition Sampling meetings and teleconferences to CPG.
- On May 7 Region 2 provided NJDEP's comments on the proposed draft IR process document and CPG flowchart/process diagram to CPG.
- On May 7, CPG provided Common Elements for the FS Alternatives to EPA.
- On May 7, CPG provided material on Current Conditions Biota Sampling to EPA.
- On May 7, CPG provided IR FS Cost Basis material to EPA.
- On May 7, CPG provided a revised IR process document to EPA.
- On May 8 CPG uploaded the revised Final 17-Mile Small Volume Chemical Water Column Monitoring (SV CWCM) Sampling Program Characterization Summary to EPA's SharePoint site.
- On May 8, Region 2 provided comments on the revised Draft 17-Mile Baseline Ecological Risk Assessment (BERA) to CPG.
- On May 9, Region 2 provided a list of Action Items from the May 9, 2019 Upper 9-Mile FS Meeting #16 to CPG.
- On May 9, Region 2 provided files related to Joh Kern's "Fish Power" work from the April 18, 2019 Current Conditions Sampling meeting to CPG.
- On May 10, CPG uploaded the revised Final 2011 Caged Bivalve Survey (CBS) Data Report for the LPRSA to EPA's SharePoint site.
- On May 10, CPG submitted a revised Table 3-3 and RTCs for the revised Draft 17-Mile High Volume (HV) CWCM Summary Report to Region 2.
- On May 10, CPG submitted a revised Table 3-1 for the revised Draft 17-Mile Physical Water Column Monitoring (PWCM) Summary Report to Region 2.
- On May 10, CPG uploaded the revised 2012 Final Background Fish Tissue Chemistry Data Report for the LPRSA to EPA's SharePoint site.
- On May 13, CPG uploaded the revised Final 2012 Sediment Chemistry Background Data Report for the LPRSA and revised Final 2012 Benthic Invertebrate Community Reference Data Report for the LPRSA to EPA's SharePoint site.
- On May 15, CPG and Region 2 exchanged emails regarding suggested potential language regarding citations to the Risk Assessment Risk Characterization (RARC) document in the revised Draft 17-Mile BERA.

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- On May 15, CPG delivered the April Monthly Progress Report to Region 2.
- On May 20, CPG uploaded the revised Final 17-Mile PWCM Sampling Program Characterization Summary Report to EPA's SharePoint site.
- On May 20, CPG Uploaded the revised Final 17-Mile HV CWCM Sampling Program Characterization Summary Report to EPA's SharePoint site.
- On May 22, Region 2 and CPG exchanged emails regarding the agenda for the scheduled Upper 9-Mile FS Meeting #17.
- On May 24, Region 2 provided approval for the Upper 9-Mile FS Technology Screening Table to CPG.
- On May 24, Region 2 provided combined Region 2 and NJDEP comments on the 17-Mile RI Report to CPG.
- On May 31, CPG uploaded the draft Upper 9-Mile 2019 PWCM Quality Assurance Project Plan (QAPP) to EPA's SharePoint site.

### Work

- CPG continued work to address Region 2's comments on the revised Draft 17-Mile RI Report and Model Appendices.
- CPG continued to develop/draft Upper 9-Mile IR FS components/supporting documents.
- CPG continued modeling projections for the Upper 9-Mile IR FS.
- CPG continued to develop supporting documents for Current Conditions Sampling
- CPG continued work on revision and calibration of the LPR Bioaccumulation Model.
- CPG continued processing of the Upper 9-Mile Bathymetry Survey data.

## (b) Results of Sampling and Tests

None.

## (c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will continue work on the outstanding portions of the revised Draft 17-Mile RI Report and Model Appendices in response to Region 2 comments. Appendix P (Bioaccumulation Modeling) has been partially revised, but additional work on calibration issues is required to complete the revision.
- CPG will respond to Region 2 comments on outstanding RI data summary reports.
- CPG will continue participation in meetings and conference calls with Region 2 and NJDEP and drafting the Upper 9-Mile IR FS Addendum.
- CPG will continue to develop QAPP addenda and supporting documents for Current Conditions Sampling approaches and plans.
- CPG will continue modeling projections for the Upper 9-Mile IR FS.
- CPG will continue revising and calibrating the LPR Bioaccumulation Model pursuant to Region 2 comments.



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- CPG will continue processing of the Upper 9-Mile Bathymetry Survey data.
- CPG will continue to support HDR's review of the calibration of the LPR/Newark Bay CFT Model.
- CPG will continue work on Newark Bay Model documentation.
- (d) <u>Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.</u>
  - Other Documents Region 2 and CPG are working on finalizing the outstanding documents.

If you have any questions, please contact Rob Law or me at (908) 735-9315.

Very truly yours,

de maximis, inc.

Willard Potter

**CPG Project Coordinator** 

cc: Frances Zizila, EPA Region 2 Office of Regional Counsel

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